



TRADEMARK
11902-5

Spruell
2-27-98
16/
Petition
w/R.312
Amst
(Sub-Spec
w/att.
or new
Drawg)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 3307
LEE M. MIDDLEMAN ET AL.) Examiner: J. HILTEN
Serial No.: 08/398,629)
Filed: March 3, 1995)
For: **DEVICE OR APPARATUS FOR**)
MANIPULATING MATTER) Pasadena, California

COMBINED PETITION AND AMENDMENT AFTER NOTICE OF ALLOWANCE,
UNDER 37 C.F.R. §1.132(b)

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.132(b), this is a petition to accept an amendment to the drawings and specification after notice of allowance of the above-identified patent application. Enclosed [recorded on transmittal sheet] herewith is the petition fee in the amount of \$130.00, pursuant to 37 C.F.R. §1.17(I).

This amendment to the drawings is submitted in response to the Notice of Drawing Requirements, dated November 24, 1997, paper number 14, a copy of which is enclosed herewith. The objections to the drawings set forth in the November 24, 1997 Notice of Drawing Requirements were not previously set forth in the Form PTO 948 dated April 6, 1995. Moreover, the draftsman indicated in the November 24, 1997 Notice that he inadvertently missed objecting to the figure

numbering in this prior Form PTO 948. Thus, by no fault of the Applicants, and only after Applicants had already paid the issue fee, did the draftsman object to the drawings previously submitted to the PTO as informal on the basis that the figures were not numbered correctly.

In response to the draftsman's Notice, Applicants submit herewith eighty-three (83) sheets of corrected substitute formal drawings to replace the same sheets previously submitted to the PTO. The figure numbers of the drawings have been revised in accordance with the draftsman's requirements in the Notice of Draftperson's Patent Drawing Review, that is, the numbering system has been revised so that they are in accordance with 37 C.F.R. §1.84(u) in that all of the figures are numbered consecutively and in Arabic numerals, i.e. 1, 2, 3, 4, etc.

In addition, Applicants submit herewith a new substitute specification to replace the substitute specification previously filed in the subject application. The substitute specification has been revised to reflect and correspond to the revisions made to the figure numbers in the drawings. Pursuant to the Examiner's request, enclosed herewith are both, (1) a copy of the substitute specification previously filed with revisions indicated in red ink, and (2) a re-typed substitute specification with the revisions incorporated into the text of the specification.

No new matter has been added as a result of the amendment to the drawings and specification.

In view of the corrected drawings and substitute specification submitted herewith, Applicants respectfully requests that the subject application proceed to issuance.

TRADEMARK
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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-2090.

Respectfully submitted,

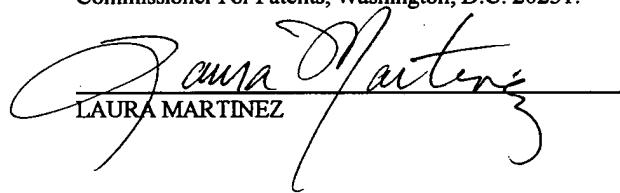
SHELDON & MAK

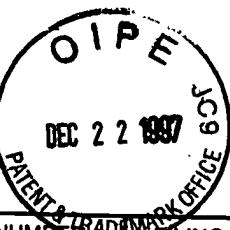
Date: December 22, 1997

By: Karin E. Peterka
Karin E. Peterka
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SHELDON & MAK
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EXPRESS MAIL mailing label no. EM589053178US
Date of Deposit December 22, 1997
I hereby certify that this paper is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" service under 37 C.F.R. § 1.10 on the date
indicated above and is addressed to Box DAC, Assistant
Commissioner For Patents, Washington, D.C. 20231.


LAURA MARTINEZ



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

P7025.06

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/398,629	03/03/95	MIDDLEMAN	L P7025.06CIPS

DANIEL W. LATHAM
MEDTRONIC, INC.
7000 CENTRAL AVENUE, N.E.
MINNEAPOLIS MN 55432

4102/1124

EXAMINER	
HILTEN, J	
ART UNIT	PAPER NUMBER
3307	14

DATE MAILED:

11/24/97

ax

A DE 1997 Response

NOTICE OF DRAWING REQUIREMENTS

Corrected/substituted drawings for the above-identified application, received in the PTO on 3-2-95, are still considered informal for the reason(s) identified on the attached Form PTO-948.

Applicant has the time remaining in the response period set in the Notice of Allowability or Notice of Drawing Requirements mailed _____ to overcome the objections raised in the attached Form PTO-948. This response period may be extended under the provisions of 37 CFR 1.136 (a) by filing the appropriate request and fee before the end of the six month statutory period for response.

The PTO delayed in reviewing the corrected drawings. Applicant is given ONE month time limit from the date of this letter to provide corrected drawings. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) or (b). See MPEP 714.03. However, the response period set in the Notice of Allowability or Notice of Drawing Requirements mailed _____ may be extended under the provisions of 37 CFR 1.136(a) by filing the appropriate request and fee before the end of the six month statutory period for response.

The PTO delayed in reviewing the corrected drawings. Applicant is given ONE month time limit from the date of this letter to provide corrected drawings. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 CFR 1.136(a) or (b). See MPEP 714.03

RECEIVED

DEC 01 1997

LAW DEPARTMENT
MEDTRONIC, INC.

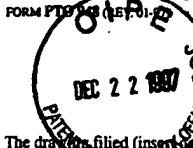
ATTACHMENT: PTO-948

(CRAY)

10-30-97

DATE

PATENT AND TRADEMARK OFFICE

NOTICE OF DRAFTPERSON'S
PATENT DRAWING REVIEW

The drawings filed (insert date) 3-3-95 are:

A. _____ not objected to by the Draftperson under 37 CFR 1.84 or 1.152.
B. _____ objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings where necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:
Black ink. Color.

Color drawing are not acceptable until petition is granted.
 Fig.(s) _____

Pencil and non black ink is not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

Photographs are not acceptable until petition is granted.

3 full-tone sets are required. Fig(s) _____

Photographs not properly mounted (must bristol board or photographic double-weight paper). Fig(s) _____

Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

Paper not flexible, strong, white and durable.

Fig.(s) _____

Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin)

Mylar, vellum paper is not acceptable (too thin).

Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(F): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4)

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

All drawings sheets not the same size.

Sheet(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: A4 Size

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
SIZE: 8 1/2 x 11

Margins not acceptable. Fig(s) _____

Top (T) _____ Left (L) _____

Right (R) _____ Bottom (B) _____

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes.

Views connected by projection lines or lead lines.

Fig.(s) _____

Partial views. 37 CFR 1.84(h)(2)

Brackets needed to show figure as one entity.

Fig.(s) _____

Views not labeled separately or properly.

Fig.(s) _____

Enlarged view not labeled separately or properly.

Fig.(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

Hatching not indicated for sectional portions of an object.

Fig.(s) _____

Sectional designation should be noted with Arabic or Roman numbers. Fig.(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig.(s) _____

Views not on the same plane on drawing sheet. Fig.(s) _____

9. SCALE. 37 CFR 1.84(k)

Scale not large enough to show mechanism with crowding when drawing is reduced in size to two-thirds in reproduction.

Fig.(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality).

Fig.(s) _____

11. SHADING. 37 CFR 1.84(m)

Solid black areas pale. Fig.(s) _____

Solid black shading not permitted. Fig.(s) _____

Shade lines, pale, rough and blurred. Fig.(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS.

37 CFR 1.48(p)

Numbers and reference characters not plain and legible.

Fig.(s) _____

Figure legends are poor. Fig.(s) _____

Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3) Fig.(s) _____

English alphabet not used. 37 CFR 1.84(p)(3) Fig.(s) _____

Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig.(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

Lead lines cross each other. Fig.(s) _____

Lead lines missing. Fig.(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.48(t)

Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Fig.(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig.(s) _____

16. CORRECTIONS. 37 CFR 1.84(w)

Corrections not made from PTO-948 dated _____

17. DESIGN DRAWINGS. 37 CFR 1.152

Surface shading shown not appropriate. Fig.(s) _____

Solid black shading not used for color contrast.

Fig.(s) _____

COMMENTS

ALL FIGURES MUST BE NUMBERED PROPERLY
37 CFR 1.84(f)
DRAWING FRONT 4 SHEET 1 OF 17 PGS 948 DATED
10-10-97 MISSING FIG 1-1A-
1-7D

REVIEWER Locally DATE 11-31-97 TELEPHONE NO.

ATTACHMENT TO PAPER NO.

APPLICANT'S COPY